

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MARCUS HILLIARD,)	
)	
PLAINTIFF,)	
)	Case No. 20-cv-1144
v.)	
)	Judge Martha M. Pacold
NATIONAL BOARD OF MEDICAL)	
EXAMINERS and LOYOLA)	Magistrate Judge Gabriel A. Fuentes
UNIVERSITY OF CHICAGO,)	
)	
DEFENDANTS.)	

JOINT MOTION FOR EXTENSION OF DISCOVERY DEADLINES

Plaintiff Marcus Hilliard (“Plaintiff”) and Defendant Loyola University of Chicago (“Loyola” or “Defendant,” together with Plaintiff, the “parties”), by their undersigned counsel, respectfully move to extend the parties’ deadline to complete fact discovery to and including January 30, 2023 and reset the remaining discovery deadlines accordingly. In support of this motion, the parties state as follows:

1. On June 24, 2022, the parties submitted a Joint Status Report proposing an ambitious discovery schedule that included a fact discovery deadline of October 14, 2022. (Dkt. No. 63).
2. On June 28, 2022, the Court entered a Minute Order setting discovery deadlines and setting October 14, 2022 as the deadline to complete fact discovery. (Dkt. No. 64).
3. Since that time, the parties have been diligently engaged in extensive discovery. Specifically, the parties have (i) exchanged initial disclosures, (ii) served and responded to Requests for the Production of Documents, (iii) produced more than 30,000 pages of responsive documents, (iv) served and responded to Interrogatories, (iv) served 14 non-party document

subpoenas, (v) filed an amended agreed protective order and motion to compel to ensure compliance with the Family Educational Rights and Privacy Act of 1974 (“FERPA”), and (vi) noticed eight depositions.

4. Since the start of discovery, the parties have been committed to moving the case forward and originally aimed to complete discovery by October 14, 2022 – approximately three months after discovery began. On September 22, 2022, the parties jointly moved to extend the discovery cut off by 60 days to December 15, 2022 in light of the significant volume of documents involved in the case, the need for third-party discovery, and confidentiality issues related to the production of student files, among others. (Dkt. No. 72). The Court granted the parties’ motion on September 29, 2022. (Dkt No. 73).

5. Despite their continued progress and best efforts, the parties will require additional time to complete discovery. Specifically, the parties are still awaiting documents responsive to Loyola’s third-party subpoenas and need additional time to finalize scheduling for and to complete witness and 30(b)(6) depositions. In light of the upcoming holidays and the witnesses’ unavailability during that time, the parties respectfully request an additional 45 days to complete discovery, through and including January 30, 2023.

6. The parties bring this joint motion in good faith and well in advance of the fact-discovery deadline in an effort to keep the Court apprised of their progress and their ongoing commitment to moving the case forward.

7. The parties do not wish to delay these proceedings any longer than necessary and bring this request out of necessity in order to allow sufficient time to complete document discovery and depose witnesses. Indeed, the parties have been engaged in discovery for only four months to

date and should the Court grant this request, will still complete all fact discovery in under seven months.

WHEREFORE, the parties jointly and respectfully request that the Court enter an order extending the deadline to complete fact discovery to and including January 30, 2023 and reset the remaining discovery deadlines as follows:

	Current Deadline ¹	Proposed Deadline
Joint written status report on the progress of discovery and status of settlement	December 8, 2022	January 23, 2023
Close of Fact Discovery	December 16, 2022	January 30, 2023
Plaintiff's Rule 26(a)(2) Disclosures	February 17, 2023	April 3, 2023
Defendant's Rule 26(a)(2) Disclosures	March 17, 2023	May 1, 2023
Close of Expert Discovery	May 5, 2023	June 21, 2023

Dated: November 17, 2022

Respectfully Submitted,

MARCUS HILLIARD

/s/ Cynthia M. Rote

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¹ See Minute Entry setting deadlines (Dkt. No. 73).